

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS W. JOHNSON ET AL.,

Plaintiffs,

v.

KENT K. JOHNSON,

Defendant.

No. 2:20-cv-0614-JAM-KJN

ORDER

(ECF Nos. 2, 5, 7, 12, 14)

On April 24, 2020 the magistrate judge filed findings and recommendations (ECF No. 14), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. On May 4, 2020 plaintiff filed objections to the findings and recommendations (ECF No. 16), which have been considered by the court.

This court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981); see also Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the matter on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d

1 452, 454 (9th Cir. 1983).

2 The court has reviewed the applicable legal standards and, good cause appearing,
3 concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,

4 IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations (ECF No. 14) are ADOPTED IN FULL;
- 6 2. Plaintiffs' motion to remand (ECF No. 5) is GRANTED;
- 7 3. Plaintiffs' request for attorneys' fees and costs (ECF No. 5) is GRANTED;
- 8 4. Plaintiffs are awarded \$5,820 in reasonable attorneys' fees and costs;
- 9 5. Defendant's motions for joinder (ECF Nos. 7, 12) are DENIED AS MOOT; and
- 10 6. This case is REMANDED to the Superior Court of the State of California, County of
11 El Dorado.

12 DATED: May 12, 2020

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14 /s/ John A. Mendez

15 UNITED STATES DISTRICT COURT JUDGE
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